

Remarks/Arguments:

This amendment accompanies a Request for Continued Examination.

The meaning of the phrase "material-based security element" has been clarified in claims 19 and 36. This definition is based on the common understanding of the skilled person of said term.

Moreover, claim 22 has been limited to only the second marking be imprinted by a printing process. Finally, claim 27 has been deleted.

In the advisory action, the examiner has rejected the argument based on the use of specific material-based security elements, since in the examiner's opinion the term was not properly defined in the claims. This has now been done.

As now specified in claims 19 and 36, a material-based security element is a substance which can be specifically identified due to one of its characteristic features, i.e., the characteristic property of its emission and/or absorption spectrum. Such security elements have to be differentiated from design-related security elements such as, e.g., a specific indicia. The present invention evaluates whether a specific chemical substance is present. This is done by looking for a characteristic property of that substance. Security elements on this basis are conventionally named material based security elements.

Applicant reiterates that in his opinion in the prior art documents cited by the examiner (Berson and Fujiwara) do not suggest an authentication using a material-based security element and do therefore not render obvious the subject matter of the enclosed claims.

We believe that the claims now presented are patentable over the prior art of record,
and that this application is in condition for allowance.

Respectfully submitted,

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